FILED

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY ______ DEPUTY

CASE UNSEALED PER ORDER OF COURT

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

March 2015 Grand Jury

UNITED STATES OF AMERICA, Plaintiff, v. ROBERT AGUILAR (1), aka Paco, FRANCIS TED MORALES (2), aka Teddy, Defendants.	Case No. 16 CR 1005 BAS I N D I C T M E N T Title 21, U.S.C., Secs. 841(a)(1) and 846 - Conspiracy to Distribute Methamphetamine; Title 21 U.S.C., Sec. 853 - Criminal Forfeiture

The grand jury charges:

Count 1

Beginning on a date unknown to the grand jury and continuing up to and including October 28, 2015, within the Southern District of California, and elsewhere, defendants ROBERT AGUILAR, aka Paco, and FRANCIS TED MORALES, aka Teddy, did knowingly and intentionally conspire together and with each other and with other persons known and unknown to the grand jury to distribute methamphetamine (actual), a Schedule II Controlled Substance; in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

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MJS:lml(nlv):San Diego:5/6/16

It is further alleged that the amount involved in the conspiracy attributable to defendants ROBERT AGUILAR, aka Paco, and FRANCIS TED MORALES, aka Teddy, as a result of their own conduct, and the conduct of other conspirators reasonably foreseeable to them, is at least 5 grams of methamphetamine (actual).

FORFEITURE ALLEGATION

1. The allegations contained in Count 1 are realleged and by their reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2. As a result of the commission of the felony offense alleged in Count 1 of this Indictment, said violation being punishable by imprisonment for more than one year and pursuant to Title 21, United States Code, Sections 853(a)(1) and 853(a)(2), defendants ROBERT AGUILAR, aka Paco, and FRANCIS TED MORALES, aka Teddy, shall, upon conviction, forfeit to the United States all their rights, title and interest in any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of the offense, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count 1 of this Indictment.

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the said property listed above as being subject to forfeiture.

All in violation of Title 21, United States Code, Section 853.

DATED: May 6, 2016.

A TRUE BILL:

Foreperson

LAURA E. DUFFY
United States Attorney

By:
MATTHEW J. SUTTON
Assistant U.S. Attorney